

Remarks

Upon entry of the above amendment, claims 1-34 will be pending in the instant application. Claims 1, 2, 3, 7, 8, 9, 11, 12, 13, 18, 19, 20, 22 and 33 are set for examination. Claims 4-6, 10, 14-17, 21, 23-32 and 34 are withdrawn due to the restriction requirement. Applicants have canceled claim 35-39 without prejudice to the subject matter contained therein.

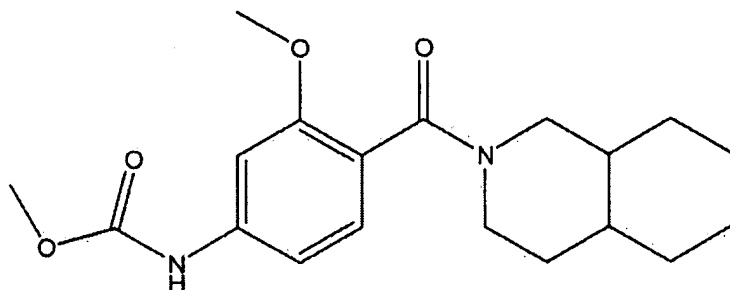
Restriction Requirement

The Examiner has set forth a Restriction requirement asserting that the identified inventions do not form a single general inventive concept under PCT Rule 13.1. The Examiner has set forth Groups I-XIII from which Applicants must elect an invention. Groups I-IX are directed to different series of compounds and pharmaceutical compositions. Groups X-XII are directed toward methods of using the compounds and Group XIII is directed toward a combination composition. If Applicants elect an invention from Groups I-IX, Applicants must elect a representative species.

Election

Applicants elect Group I drawn to compounds and pharmaceutical compositions of Formulae Ia, Ih, and Ii, wherein X,Y = C (phenyl and naphthyl), R₃ and R₄ forms hydroquinoline.

From Group I, Applicants elect a species with the following structure. The elected species can be found in Examples 14-37 and 14-8 with different stereochemistry in the hydroisoquinoline.



Applicants noticed that Examiner included claim 18 in Group I; therefore, Applicants have elected a species that is encompassed by the claims within Group I, specifically claim 18, but assumes that Examiner will examine all of the Group I. (hydroquinolines and hydroisoquinolines.)

Applicants have made the required Election of Invention and Species.

Conclusion

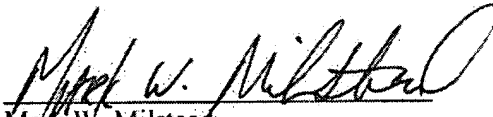
Applicants have addressed each and every issue set forth by the Examiner. Applicants respectfully submit that the present application is in good condition for examination.

If the Examiner believes for any reason that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (617) 871-4125.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 50-4409 for any additional fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17; particularly extension of time fees.

Respectfully submitted,

Novartis Institute for Biomedical Research
NIBR Patents
400 Technology Square
Cambridge, MA 02139
(617) 871-4125


Mark W. Milstead
Attorney for Applicant
Reg. No. 45,825

Date: